

## **REMARKS/ARGUMENTS**

The Office Action of September 21, 2005, has been carefully considered.

It is noted that Claims 9 and 13 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-19 are rejected under 35 U.S.C. 102(b) over the patent to Allen.

In view of the Examiner's rejections of the claims applicant has amended claims 4,9 and 13.

It is respectfully submitted that claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claims 9 and 13 to address the instances of indefinite as cited by the Examiner. Applicant has also amended claim 4 as suggested by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of Claims 9 and 13 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims now on file differ essentially and in an unobvious, highly advantageous manner from the method and constructions disclosed in the reference.

As recited in claim 1, the inventive method for emergency evacuation of a building having elevators, includes the step of determining the number of building occupants. The step can be performed preferably by a destination called keyboards placed at each floor and normally used to place elevator calls (see paragraph 24 of the specification). Due to these destination call keyboards the elevator control can even know how many building occupants are present in a predetermined floor. This information about the location of the building occupants is then used in the following phases of the evacuation in order to optimize the evacuation strategy.

The patent to Allen discloses a multiple building with an elevator system operable as a means of emergency egress and evacuation during a fire incident. The method of emergency evacuation of the building disclosed by Allen does not comprise any step of determining the number of building occupants. Allen simply recites that a load sensor can determine the capacity of an elevator car during the evacuation without specifying or hinting that the number of floor occupants could have been estimated via the load sensor during the normal use of the car and that this number is important and could have been used in the evacuation procedure. Thus, Allen does not disclose the presently claimed invention.

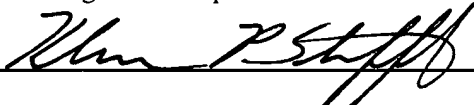
In view of these considerations it is respectfully submitted that the rejected of Claims 1-19 under 35 U.S.C. 102(b) over the above discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on December 21, 2005:

Klaus P. Stoffel

Name of applicant, assignee or  
Registered Representative

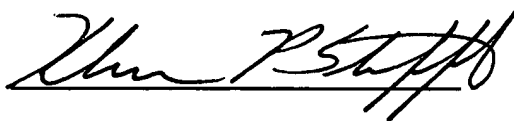
  
Signature

December 21, 2005

Date of Signature

KPS:vb

Respectfully submitted,



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